

Regular Session, 2008

HOUSE BILL NO. 1148

BY REPRESENTATIVE MORRELL

POLICE/MUNICIPAL: Provides relative to investigations of municipal police officers

## 1 AN ACT

2 To enact R.S. 40:2531(D) and 2533(D), relative to the investigation of law enforcement  
3 officers; to provide for expungement of certain records; to provide for the  
4 investigative report; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:2531(D) and 2533(D) are hereby enacted to read as follows:

7 §2531. Applicability; minimum standards during investigation; penalties for failure  
8 to comply

9 \* \* \*

10 D. Notwithstanding any other provisions of this Section, if a law  
11 enforcement officer is under investigation, the investigating officer shall furnish a  
12 copy of the report to the law enforcement officer and his attorney pursuant to a  
13 written request, at least fifteen days before any hearing on the complaint.

14 \* \* \*

15 §2533. Personnel files

16 \* \* \*

17 D. Notwithstanding any other provisions of this Section, any complaint filed  
18 against a law enforcement officer, that cannot be substantiated or proven, shall be  
19 expunged from the officer's personnel file at the written request of the officer.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Morrell

HB No. 1148

**Abstract:** Provides that certain law enforcement officers under investigation shall have a right to their investigation records and for expungement of certain records.

Proposed law (R.S. 40:2531(D)) provides that officers under investigation, upon written request, shall be furnished with an investigation report at least 15 days before the hearing on the matter.

Proposed law (R.S. 40:2533(D)) provides that a complaint on the personnel record of an officer shall be expunged at the written request of the officer when the complaint cannot be substantiated or proven.

(Adds R.S. 40:2531(D) and 2533(D))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Removes the population limits that provide for applicability of proposed law only to municipalities with a population exceeding 450,000.